

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 356
Crimes – Firearms – Penalties and Procedures (Violent Firearms
Offender Act of 2020)
DATE: January 29, 2020
(2/4)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 356. House Bill 356 establishes and alters various penalties and conditions of sentencing regarding certain firearm-related violations.

This bill contains numerous mandatory sentencing provisions – including mandatory minimum sentences, mandatory consecutive sentences, prohibitions on suspension of sentences, and limitations on parole eligibility. The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when imposing a sentence. Provisions that place restrictions on the sentencing judge prevent the judge from considering legislative intent or factors unique to the case. Recognizing that lawmakers are responsible for enacting penalties for crimes, judges are mindful of various mitigating factors in crafting a sentence that most appropriately fits the individual defendant and the crime.

cc. Hon. Adrienne Jones
Judicial Council
Legislative Committee
Kelley O'Connor